

103D CONGRESS
1ST SESSION

S. 349

AN ACT

To provide for the disclosure of lobbying activities to influence the Federal Government, and for other purposes.

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To provide for the disclosure of lobbying activities to influence the Federal Government, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Lobbying Disclosure
5 Act of 1993”.

1 **SEC. 2. FINDINGS AND PURPOSE.**

2 (a) FINDINGS.—The Congress finds that—

3 (1) responsible representative Government re-
4 quires public awareness of the efforts of paid lobby-
5 ists to influence the public decisionmaking process in
6 both the legislative and executive branches of the
7 Federal Government;

8 (2) existing lobbying disclosure statutes have
9 been ineffective because of unclear statutory lan-
10 guage, weak administration and enforcement provi-
11 sions, and an absence of clear guidance as to who
12 is required to register and what they are required to
13 disclose; and

14 (3) the effective public disclosure of the identity
15 and extent of the efforts of paid lobbyists to influ-
16 ence Federal officials in the conduct of Government
17 actions will increase public confidence in the integ-
18 rity of Government.

19 (b) PURPOSE.—The purposes of this Act are to—

20 (1) provide for the disclosure of the efforts of
21 paid lobbyists to influence Federal legislative or ex-
22 ecutive branch officials in the conduct of Govern-
23 ment actions; and

24 (2) afford the fullest opportunity to the people
25 of the United States to exercise their constitutional
26 right to petition their Government for a redress of

1 grievances, to express their opinions freely to their
2 Government, and to provide information to their
3 Government.

4 **SEC. 3. DEFINITIONS.**

5 As used in this Act:

6 (1) The term “agency” has the same meaning
7 as such term is defined under section 551(1) of title
8 5, United States Code.

9 (2) The term “client” means any person who
10 employs or retains another person for financial or
11 other compensation to conduct lobbying activities on
12 its own behalf. An organization whose employees act
13 as lobbyists on its behalf is both a client and an em-
14 ployer of its employee lobbyists. In the case of a coa-
15 lition or association that employs or retains persons
16 to conduct lobbying activities on behalf of its mem-
17 bership, the client is the coalition or association and
18 not its individual members.

19 (3) The term “covered executive branch offi-
20 cial” means—

21 (A) the President;

22 (B) the Vice President;

23 (C) any officer or employee of the Execu-
24 tive Office of the President other than a clerical
25 or secretarial employee;

1 (D) any officer or employee serving in an
2 Executive level I, II, III, IV, or V position, as
3 designated in statute or executive order;

4 (E) any officer or employee serving in a
5 Senior Executive Service position, as defined
6 under section 3132(a)(2) of title 5, United
7 States Code;

8 (F) any member of the uniformed services
9 whose pay grade is at or in excess of O-7 under
10 section 201 of title 37, United States Code; and

11 (G) any officer or employee serving in a
12 position of a confidential or policy-determining
13 character under Schedule C of the excepted
14 service pursuant to section 7511 of title 5,
15 United States Code.

16 (4) The term “covered legislative branch offi-
17 cial” means—

18 (A) a Member of Congress;

19 (B) an elected officer of Congress;

20 (C) any employee of a Member of the
21 House of Representatives, of a committee of the
22 House of Representatives, or on the leadership
23 staff of the House of Representatives, other
24 than a clerical or secretarial employee;

1 (D) any employee of a Senator, of a Sen-
2 ate Committee, or on the leadership staff of the
3 Senate, other than a clerical or secretarial em-
4 ployee; and

5 (E) any employee of a joint committee of
6 the Congress, other than a clerical or secretar-
7 ial employee.

8 (5) The term “Director” means the Director of
9 the Office of Lobbying Registration and Public Dis-
10 closure.

11 (6) The term “employee” means any individual
12 who is an officer, employee, partner, director, or pro-
13 prietor of an organization, but does not include—

14 (A) independent contractors or other
15 agents who are not regular employees; or

16 (B) volunteers who receive no financial or
17 other compensation from the organization for
18 their services.

19 (7) The term “foreign entity” means—

20 (A) a government of a foreign country or
21 a foreign political party (as such terms are de-
22 fined in section 1 (e) and (f) of the Foreign
23 Agents Registration Act of 1938, as amended
24 (22 U.S.C. 611 (e) and (f)));

1 (B) a person whose principal place of resi-
2 dence is outside the United States, other than
3 a United States citizen or an organization that
4 is organized under the laws of the United
5 States or any State and has its principal place
6 of business in the United States; or

7 (C) a partnership, association, corporation,
8 organization, or other combination of persons
9 that is organized under the laws of or has its
10 principal place of business in a foreign country.

11 (8) The term “lobbying activities” means lobby-
12 ing contacts and efforts in support of such contacts,
13 including preparation and planning activities, re-
14 search and other background work that is intended
15 for use in contacts, and coordination with the lobby-
16 ing activities of others. Lobbying activities include
17 grass roots lobbying communications and commu-
18 nications with members, as defined under section
19 4911 (d)(1)(A) and (d)(3) of the Internal Revenue
20 Code of 1986 and the regulations implementing such
21 provisions, to the extent that such activities are
22 made in direct support of lobbying contacts.

23 (9)(A) The term “lobbying contact” means any
24 oral or written communication with a covered legisla-

1 tive or executive branch official made on behalf of a
2 client with regard to—

3 (i) the formulation, modification, or adop-
4 tion of Federal legislation (including legislative
5 proposals);

6 (ii) the formulation, modification, or adop-
7 tion of a Federal rule, regulation, Executive
8 order, or any other program, policy or position
9 of the United States Government; or

10 (iii) the administration or execution of a
11 Federal program or policy (including the nego-
12 tiation, award, or administration of a Federal
13 contract, grant, loan, permit, or license) except
14 that it does not include communications that
15 are made to covered executive branch officials
16 in the agency responsible for taking such action
17 who serve in the Senior Executive Service, or
18 who are members of the uniformed services
19 whose pay grade is lower than O-9 under sec-
20 tion 201 of title 37, United States Code.

21 (B) The term shall not include communications
22 that are—

23 (i) made by public officials acting in their
24 official capacity;

1 (ii) made by representatives of a media or-
2 ganization who are primarily engaged in gather-
3 ing and disseminating news and information to
4 the public;

5 (iii) made in a speech, article, publication
6 or other material that is widely distributed to
7 the public, or through the media;

8 (iv) made on behalf of a foreign principal
9 and disclosed under the Foreign Agents Reg-
10 istration Act of 1938, as amended (22 U.S.C.
11 611 et seq.);

12 (v) requests for appointments, requests for
13 the status of a Federal action, or other similar
14 ministerial contacts, if there is no attempt to
15 influence covered legislative or executive branch
16 officials;

17 (vi) made in the course of participation in
18 an advisory committee subject to the Federal
19 Advisory Committee Act;

20 (vii) testimony given before a committee,
21 subcommittee, or office of Congress, or submit-
22 ted for inclusion in the public record of a hear-
23 ing conducted by such committee, subcommit-
24 tee, or office;

1 (viii) information provided in writing in re-
2 sponse to a specific written request from a cov-
3 ered legislative or executive branch official;

4 (ix) required by subpoena, civil investiga-
5 tive demand, or otherwise compelled by statute,
6 regulation, or other action of Congress or a
7 Federal agency;

8 (x) made in response to a notice in the
9 Federal Register, Commerce Business Daily, or
10 other similar publication soliciting communica-
11 tions from the public and directed to the agency
12 official specifically designated in the notice to
13 receive such communications;

14 (xi) not possible to report without disclos-
15 ing information, the unauthorized disclosure of
16 which is prohibited by law;

17 (xii) made to agency officials with regard
18 to judicial proceedings, criminal or civil law en-
19 forcement inquiries, investigations or proceed-
20 ings, or filings required by statute or regula-
21 tion;

22 (xiii) made in compliance with written
23 agency procedures regarding an adjudication
24 conducted by the agency under section 554 of

1 title 5, United States Code, or substantially
2 similar provisions;

3 (xiv) written comments filed in a public
4 docket and other communications that are
5 made on the record in a public proceeding;

6 (xv) a formal petition for agency action,
7 made in writing pursuant to established agency
8 procedures; and

9 (xvi) made on behalf of an individual with
10 regard to such individual's benefits, employ-
11 ment, other personal matters involving only
12 that individual, or disclosures by that individual
13 pursuant to applicable whistleblower statutes.

14 (10) The term "lobbyist" means any individual
15 who is employed or retained by another for financial
16 or other compensation to perform services that in-
17 clude lobbying contacts, other than an individual
18 whose lobbying activities are only incidental to, and
19 are not a significant part of, the services provided by
20 such individual to the client.

21 (11) The term "organization" means any cor-
22 poration (excluding a Government corporation), com-
23 pany, foundation, association, labor organization,
24 firm, partnership, society, joint stock company, or
25 group of organizations. Such term shall not include

1 any Federal, State, or local unit of government
2 (other than a State college or university as described
3 under section 511(a)(2)(B) of the Internal Revenue
4 Code of 1986), organization of State or local elected
5 or appointed officials, any Indian tribe, any national
6 or State political party and any organizational unit
7 thereof, or any national, regional, or local unit of
8 any foreign government.

9 (12) The term “public official” means any
10 elected or appointed official who is a regular em-
11 ployee of a Federal, State, or local unit of govern-
12 ment (other than a State college or university as de-
13 scribed under section 511(a)(2)(B) of the Internal
14 Revenue Code of 1986), an organization of State or
15 local elected or appointed officials, an Indian tribe,
16 a national or State political party or any organiza-
17 tional unit thereof, or a national, regional, or local
18 unit of any foreign government.

19 **SEC. 4. REGISTRATION OF LOBBYISTS.**

20 (a) REGISTRATION.—(1) No later than 30 days after
21 a lobbyist first makes a lobbying contact or agrees to make
22 lobbying contacts, whichever is earlier, such lobbyist (or,
23 as provided under subsection (c)(2), the organization em-
24 ploying such lobbyist), shall register with the Office of
25 Lobbying Registration and Public Disclosure.

1 (2)(A) Notwithstanding paragraph (1), any per-
2 son whose total income (in the case of an organiza-
3 tion described under section 5(b)(3)) or total ex-
4 penses (in the case of an organization described
5 under section 5(b)(4)) in connection with lobbying
6 activities do not exceed, or are not expected to ex-
7 ceed—

8 (i) \$1,000 in a semiannual period on be-
9 half of a particular client, or

10 (ii) \$5,000 in a semiannual period on be-
11 half of all clients,

12 (as estimated under section 5), is not required to
13 register with respect to such client or clients.

14 (B) The registration thresholds established in
15 this paragraph shall be adjusted on January 1 of
16 each year divisible by 5 to the amount equal to
17 \$1,000 and \$5,000, respectively, in constant 1995
18 dollars (rounded to the nearest \$100).

19 (b) CONTENTS OF REGISTRATION.—Each registra-
20 tion under this section shall be in such form as the Direc-
21 tor shall prescribe by regulation and shall contain—

22 (1) the name, address, business telephone num-
23 ber and principal place of business of the registrant,
24 and a general description of its business or activi-
25 ties;

1 (2) the name, address, and principal place of
2 business of the registrant's client, and a general de-
3 scription of its business or activities (if different
4 from paragraph (1));

5 (3) the name, address, and principal place of
6 business of any organization, other than the client,
7 that—

8 (A) contributes more than \$5,000 toward
9 the registrant's lobbying activities in a semi-
10 annual period;

11 (B) significantly participates in the super-
12 vision or control of the registrant's lobbying ac-
13 tivities; and

14 (C) has a direct financial interest in the
15 outcome of the registrant's lobbying activities;

16 (4) the name, address, principal place of busi-
17 ness, and approximate percentage of equitable own-
18 ership in the client (if any) of any foreign entity
19 that—

20 (A) holds at least 20 percent equitable
21 ownership in the client or any organization
22 identified under paragraph (3);

23 (B) directly or indirectly, in whole or in
24 major part, supervises, controls, directs, fi-

1 nances, or subsidizes the registrant's lobbying
2 activities; or

3 (C) is an affiliate of the client or any orga-
4 nization identified under paragraph (3) that has
5 a direct interest in the outcome of the lobbying
6 activity;

7 (5) a statement of the general issue areas in
8 which the registrant expects to engage in lobbying
9 activities on behalf of the client and, to the extent
10 practicable, a list of specific issues that have already
11 been addressed or are likely to be addressed (as of
12 the date of the registration); and

13 (6) the name of each employee of the registrant
14 whom the registrant expects to act as a lobbyist on
15 behalf of the client (or who has already acted as a
16 lobbyist on behalf of the client as of the date of the
17 registration) and, if any such employee has served as
18 a covered legislative or executive branch official in
19 the 2-year period before the date on which such em-
20 ployee first acted as a lobbyist on behalf of the cli-
21 ent, the position in which such employee served.

22 (c) GUIDELINES FOR REGISTRATION.—(1) In the
23 case of a registrant representing more than one client, a
24 separate registration shall be filed for each client rep-
25 resented.

1 (2) Any organization that has one or more employees
2 who are lobbyists shall file a single registration for each
3 client on behalf of its employees who acted as lobbyists
4 on behalf of such client.

5 **SEC. 5. REPORTS BY REGISTERED LOBBYISTS.**

6 (a) SEMIANNUAL REPORT.—No later than 30 days
7 after the end of the semiannual period beginning on the
8 first day of each January and the first day of July of each
9 year in which it is registered, each registrant shall file a
10 report with the Office of Lobbying Registration and Public
11 Disclosure on its lobbying activities during such semi-
12 annual period.

13 (b) CONTENTS OF REPORT.—Each semiannual re-
14 port filed under this section shall be in such form as the
15 Director shall prescribe by regulation and shall contain—

16 (1) the name of the registrant, the name of the
17 client, and any changes or updates to the informa-
18 tion provided in the initial registration;

19 (2) for each general issue area in which the reg-
20 istrant engaged in lobbying activities on behalf of
21 the client during the semiannual filing period—

22 (A) a list of the specific issues upon which
23 the registrant engaged in significant lobbying
24 activities, including a list of bill numbers and
25 references to specific regulatory actions, pro-

1 grams, projects, contracts, grants and loans, to
2 the maximum extent practicable;

3 (B) a statement of the Houses and com-
4 mittees of Congress and the Federal agencies
5 contacted by lobbyists employed by the reg-
6 istrant on behalf of the client during the semi-
7 annual filing period;

8 (C) a list of the employees of the registrant
9 who acted as lobbyists on behalf of the client;
10 and

11 (D) a description of the interest in the
12 issue, if any, of any foreign entity identified
13 under section 4(b)(4);

14 (3) in the case of a registrant lobbying on be-
15 half of a client other than the registrant, a good
16 faith estimate of the total amount of all income from
17 the client (including any payments to the registrant
18 by any other person to lobby on behalf of the client)
19 during the semiannual period, other than income for
20 matters that are unrelated to lobbying activities;

21 (4) in the case of a registrant lobbying on its
22 own behalf, a good faith estimate of the total ex-
23 penses that the organization and its employees in-
24 curred in connection with lobbying activities during
25 the semiannual filing period; and

1 (5) in the case of a registrant described under
2 paragraph (3), the name, address, and principal
3 place of business of any person other than the client
4 who paid the registrant to lobby on behalf of the cli-
5 ent.

6 (c) ADDITIONAL INFORMATION ON FINANCIAL BENE-
7 FITS.—

8 (1) IN GENERAL.—In addition to the informa-
9 tion described in subsection (b), each registrant shall
10 include in its semiannual reports under subsection
11 (a) or in a separate report on financial benefits, sub-
12 ject to the same filing requirements, a list of each
13 individual financial benefit provided directly or indi-
14 rectly by a registrant (including a financial benefit
15 provided by a lobbyist employed by or a lobbyist who
16 is a member of a registrant) to a covered legislative
17 branch official, to an entity that is established,
18 maintained, controlled, or financed by a covered leg-
19 islative branch official, or to any other person or en-
20 tity on behalf of or in the name of a covered legisla-
21 tive branch official, disclosing—

22 (A) with respect to each financial benefit
23 other than one described in subparagraph (B),
24 (C), or (D)—

1 (i) the name and position of the cov-
2 ered legislative branch official or other per-
3 son or entity to whom or which the finan-
4 cial benefit was provided;

5 (ii) the nature of the financial benefit;

6 (iii) the date on which the financial
7 benefit was provided; and

8 (iv) the value of the financial benefit;

9 (B) with respect to each financial benefit
10 that is in the form of a conference, retreat, or
11 similar event for or on behalf of covered legisla-
12 tive branch officials that is sponsored by or af-
13 filiated with an official congressional organiza-
14 tion—

15 (i) the nature of the conference, re-
16 treat, or other event;

17 (ii) the date or dates on which the
18 conference, retreat, or other event oc-
19 curred;

20 (iii) the identity of the organization
21 that sponsored or is affiliated with the
22 event; and

23 (iv) a single aggregate figure for the
24 expenses incurred by the registrant in con-

1 nection with the conference, retreat, or
2 similar event;

3 (C) with respect to each financial benefit
4 that is in the form of an event that is hosted
5 or cohosted with or in honor of 1 or more cov-
6 ered legislative branch officials—

7 (i) the name and position of each such
8 covered legislative branch official;

9 (ii) the nature of the event;

10 (iii) the date on which the event oc-
11 curred; and

12 (iv) the expenses incurred by the reg-
13 istrant in connection with the event; and

14 (D) with respect to each financial benefit
15 that is in the form of election campaign fund-
16 raising activity—

17 (i) the name and position of the cov-
18 ered legislative branch official on behalf of
19 whom the fundraising activity was per-
20 formed;

21 (ii) the nature of the fundraising ac-
22 tivity;

23 (iii) the date or dates on which the
24 fundraising activity was performed;

1 (iv) the expenses incurred by the reg-
2 istrant in connection with the fundraising
3 activity; and

4 (v) the number of contributions and
5 the aggregate amount of contributions
6 known by the registrant to have been made
7 to the covered legislative branch official as
8 a result of the fundraising activity.

9 (2) EXEMPTION.—A list described in paragraph
10 (1) need not disclose financial benefits having a
11 value of \$20 or less to the extent that the aggregate
12 value of such financial benefits that are provided to
13 or on behalf of a covered legislative branch official
14 or other person or entity during the calendar year
15 in which the semiannual period covered by the re-
16 port occurs has not exceeded \$50.

17 (3) DEFINITION.—As used in this subsection,
18 the term “financial benefit”—

19 (A) means anything of value given to, on
20 behalf of, or for the benefit of a covered legisla-
21 tive branch official, including—

22 (i) a gift;

23 (ii) payment for local or long-distance
24 transportation, entertainment, food, or
25 lodging, whether provided in kind, by pur-

1 chase of a ticket, by payment in advance
2 or by reimbursement, or otherwise;

3 (iii) a contribution or other payment
4 made to a third party in lieu of an hono-
5 rarium on the basis of a designation, rec-
6 ommendation, or other specification made
7 by the covered legislative branch official;

8 (iv) reimbursement of an expense;

9 (v) a loan; and

10 (vi) an expenditure made for a con-
11 ference, retreat, or other event benefiting a
12 covered person, but

13 (B) does not include—

14 (i) a contribution, as defined in the
15 Federal Election Campaign Act of 1971 (2
16 U.S.C. 431 et seq.), that is required to be
17 reported under that Act, unless the con-
18 tribution is in the form of participation in
19 a fundraising activity on behalf of a cov-
20 ered legislative branch official, including
21 the solicitation of contributions, hosting or
22 cohosting of a fundraising event, or service
23 on a campaign steering committee or its
24 equivalent;

1 (ii) a modest item of food or refresh-
2 ments, such as a soft drink, coffee, or
3 doughnut, offered other than as part of a
4 meal;

5 (iii) a greeting card or other item of
6 little intrinsic value, such as a plaque, cer-
7 tificate, or trophy, that is intended solely
8 for presentation;

9 (iv) financial benefits given under cir-
10 cumstances which make it clear that the
11 benefits are motivated by a family relation-
12 ship rather than the position of the recipi-
13 ent;

14 (v) financial benefits which are not
15 used and which are promptly returned to
16 the donor; or

17 (vi) widely attended receptions to
18 which covered legislative branch officials
19 are invited, other than events described in
20 paragraph (1)(B) of this subsection.

21 (d) ESTIMATES OF INCOME OR EXPENSES.—For the
22 purpose of this section, estimates of income or expenses
23 shall be made as follows:

24 (1) Income or expenses of \$200,000 or less
25 shall be estimated by the following categories:

1 (A) At least \$1,000 but not more than
2 \$10,000.

3 (B) More than \$10,000 but not more than
4 \$20,000.

5 (C) More than \$20,000 but not more than
6 \$50,000.

7 (D) More than \$50,000 but not more than
8 \$100,000.

9 (E) More than \$100,000 but not more
10 than \$200,000.

11 (2) Income or expenses in excess of \$200,000
12 shall be estimated and rounded to the nearest
13 \$100,000.

14 (3)(A) Any registrant whose total income (in
15 the case of an organization described under sub-
16 section (b)(3)) or total expenses (in the case of an
17 organization described under subsection (b)(4)) in
18 connection with lobbying activities do not exceed—

19 (i) \$1,000 in a semiannual period on be-
20 half of a particular client, or

21 (ii) \$5,000 in a semiannual period on be-
22 half of all clients,

23 (as estimated under this section), or who does not
24 make any lobbying contacts on behalf of a particular
25 client, is deemed to be inactive during such period

1 with respect to such client or clients and may com-
2 ply with the reporting requirements of this section
3 by notifying the Director, in such form as the Direc-
4 tor may prescribe.

5 (B) The reporting thresholds established under
6 this paragraph shall be adjusted on January 1 of
7 each year divisible by 5 to the amount equal to
8 \$1,000 and \$5,000, respectively, in constant 1995
9 dollars (rounded to the nearest \$100).

10 (4) In the case of registrants that are required
11 to report or identify lobbying income or expenses
12 under sections 6033 and 6104 of the Internal Reve-
13 nue Code of 1986, regulations developed under sec-
14 tion 6 shall provide that the amounts required to be
15 disclosed under such sections, or a good faith esti-
16 mate of such amounts, may be reported (by category
17 of dollar value) to meet the requirements of sub-
18 section (b) (3) or (4) of this section.

19 (5) In estimating total income or expenses
20 under this section, a registrant is not required to in-
21 clude—

22 (A) the value of contributed services for
23 which no payment is made; or

24 (B) the expenses for services provided by
25 an independent contractor or agent of the reg-

1 istrant who is separately registered under this
2 Act.

3 (e) CONTACTS WITH CONGRESSIONAL COMMIT-
4 TEES.—For purposes of subsection (b)(2), any contact
5 with a member of a congressional committee, an employee
6 of a congressional committee, or an employee of a member
7 of a congressional committee regarding a matter within
8 the jurisdiction of such committee is a contact with the
9 committee.

10 (f) EXTENSION FOR FILING.—The Director may
11 grant an extension of time of not more than 30 days for
12 the filing of any report under this section, on the request
13 of the registrant, for good cause shown.

14 **SEC. 6. ADMINISTRATIVE DUTIES OF THE OFFICE OF LOB-**
15 **BYING REGISTRATION AND PUBLIC DISCLO-**
16 **SURE.**

17 (a) ESTABLISHMENT.—(1) There is established with-
18 in the Department of Justice an Office of Lobbying Reg-
19 istration and Public Disclosure, which shall be headed by
20 a Director. The Director shall be appointed by the Presi-
21 dent, by and with the advice and consent of the Senate.
22 The Director shall be an individual who, by demonstrated
23 ability, background, training, and experience, is especially
24 qualified to carry out the functions of the position.

1 (2) Section 5316 of title 5, United States Code, is
2 amended by adding at the end thereof the following:

3 “Director of the Office of Lobbying Registra-
4 tion and Public Disclosure, Department of Justice.”.

5 (b) DUTIES.—The Director of the Office of Lobbying
6 Registration and Public Disclosure shall—

7 (1) after notice and an opportunity for public
8 comment, and consultation with the Secretary of the
9 Senate, the Clerk of the House of Representatives,
10 and the Administrative Conference of the United
11 States, prescribe such rules, forms, penalty sched-
12 ules, and procedural regulations as are necessary for
13 the implementation of this Act;

14 (2) provide guidance and assistance on the reg-
15 istration and reporting requirements of this Act, in-
16 cluding, to the extent practicable, the issuance of
17 published decisions and advisory opinions;

18 (3) review and make such supplemental ver-
19 ifications or inquiries as are necessary to ensure the
20 completeness, accuracy, and timeliness of registra-
21 tions and reports;

22 (4) develop filing, coding, and cross-indexing
23 systems to carry out the purposes of this Act, in-
24 cluding computerized systems designed to minimize

1 the burden of filing and maximize public access to
2 materials filed under this Act;

3 (5) ensure that the computer systems developed
4 pursuant to paragraph (4)—

5 (A) allow the materials filed under this Act
6 to be accessed by the name of the client, the
7 lobbyist, and the registrant;

8 (B) are compatible with computer systems
9 developed and maintained by the Federal Elec-
10 tion Commission, and that information filed in
11 the two systems can be readily cross-referenced;
12 and

13 (C) are compatible with computer systems
14 developed and maintained by the Secretary of
15 the Senate and the Clerk of the House of Rep-
16 resentatives;

17 (6) make copies of each registration and report
18 filed under this Act available to the public in elec-
19 tronic and hard copy formats as soon as practicable
20 after the date on which such registration or report
21 is received;

22 (7) preserve the originals or accurate reproduc-
23 tion of registrations until such time as they are ter-
24 minated, and of reports for a period of no less than

1 2 years from the date on which the report is
2 received;

3 (8) maintain a computer record of the informa-
4 tion contained in registrations and reports for no
5 less than 5 years after the date on which such reg-
6 istrations and reports are received;

7 (9) compile and summarize, with respect to
8 each semiannual period, the information contained
9 in registrations and reports filed during such period
10 in a manner which clearly presents the extent and
11 nature of expenditures on lobbying activities during
12 such period;

13 (10) make information compiled and summa-
14 rized under paragraph (9) available to the public in
15 electronic and hard copy formats as soon as prac-
16 ticable after the close of each semiannual filing
17 period;

18 (11) provide, by computer telecommunication or
19 other transmittal in a form accessible by computer,
20 to the Secretary of the Senate and the Clerk of the
21 House of Representatives copies of all registrations
22 and reports received under this Act and all compila-
23 tions, cross-indexes, and summaries of such registra-
24 tions and reports, as soon as practicable (but not

1 later than 3 working days) after such material is re-
2 ceived or created; and

3 (12) transmit to the President and the Con-
4 gress an annual report describing the activities of
5 the Office and the implementation of this Act, in-
6 cluding—

7 (A) a financial statement for the preceding
8 year;

9 (B) a summary of the registrations and re-
10 ports filed with the Office in the preceding year;

11 (C) a summary of the registrations and re-
12 ports filed on behalf of foreign entities in the
13 preceding year; and

14 (D) recommendations for such legislative
15 or other action as the Director considers appro-
16 priate.

17 **SEC. 7. INFORMAL RESOLUTION OF ALLEGED NONCOMPLI-**
18 **ANCE.**

19 (a) ALLEGATION OF NONCOMPLIANCE.—Whenever
20 the Office of Lobbying Registration and Public Disclosure
21 has reason to believe that a person may be in noncompli-
22 ance with the requirements of this Act, the Director shall
23 notify the person in writing of the nature of the alleged
24 noncompliance and provide an opportunity for the person
25 to respond in writing to the allegation within 30 days or

1 such longer period as the Director may determine appro-
2 priate in the circumstances.

3 (b) INFORMAL RESOLUTION.—If the person responds
4 within 30 days or other time limit set by the Director,
5 the Director shall—

6 (1) take no further action, if the person pro-
7 vides adequate information or explanation to deter-
8 mine that it is unlikely that such person is in non-
9 compliance with the requirements of this Act;

10 (2) if the person admits that there was a non-
11 compliance and corrects such noncompliance—

12 (A) in the case of a minor noncompliance,
13 take no further action; or

14 (B) in the case of a significant noncompli-
15 ance, treat the matter as a minor noncompli-
16 ance for the purpose of section 8; or

17 (3) make a determination under section 8, if
18 the information or explanation provided indicates
19 that such person may be in noncompliance with the
20 requirements of this Act.

21 (c) FORMAL REQUEST FOR INFORMATION.—If the
22 person fails to respond in writing within 30 days or other
23 time limit set by the Director, or the response is not ade-
24 quate to determine whether such person is in noncompli-
25 ance with the requirements of this Act, the Director may

1 make a formal request for specific additional documentary
2 information (subject to applicable privileges) that is rea-
3 sonably necessary for the Director to make such deter-
4 mination. Each such request shall be structured to mini-
5 mize the burden imposed, consistent with the need to de-
6 termine whether the person is in compliance, and shall—

7 (1) state the nature of the conduct constituting
8 the alleged noncompliance which is the basis for the
9 inquiry and the provision of law applicable thereto;

10 (2) describe the class or classes of documentary
11 material to be produced thereunder with such defi-
12 niteness and certainty as to permit such material to
13 be readily identified; and

14 (3) prescribe a return date or dates which pro-
15 vide a reasonable period of time within which the
16 material so requested may be assembled and made
17 available for inspection and copying or reproduction.

18 (d) NONDISCLOSURE OF INFORMATION.—Informa-
19 tion provided to the Director under this section shall not
20 be made available to the public, or to any legislative or
21 executive branch official outside the Office of Lobbying
22 Registration and Public Disclosure (except as required for
23 the enforcement of this Act), without the consent of the
24 person providing the information, except that—

1 (1) any new or amended report or registration
2 filed in connection with an inquiry under this section
3 shall be made available to the public in the same
4 manner as any other registration or report filed
5 under section 4 or 5; and

6 (2) written decisions issued by the Director
7 under sections 8 and 9 may be published after ap-
8 propriate redaction by the Director to ensure that
9 confidential information is not disclosed.

10 **SEC. 8. DETERMINATIONS OF NONCOMPLIANCE.**

11 (a) NOTIFICATION AND HEARING.—If the informa-
12 tion provided to the Director under section 7 indicates
13 that such person may be in noncompliance with the re-
14 quirements of this Act, the Director shall—

15 (1) notify the person in writing of this finding
16 and, if appropriate, a proposed penalty assessment
17 and provide such person with an opportunity to re-
18 spond in writing within 30 days; and

19 (2) if requested by such person within such 30-
20 day period, afford the person—

21 (A) in the case of a minor noncompliance,
22 an informal hearing at which additional evi-
23 dence may be presented; and

24 (B) in the case of a significant noncompli-
25 ance, an opportunity for a hearing on the

1 record under the provisions of section 556 of
2 title 5, United States Code.

3 (b) DETERMINATION.—The Director shall review the
4 information received under this section and section 7 and
5 make a final determination whether there was a non-
6 compliance and a final determination of the penalty, if
7 any. If no written response or request for a hearing was
8 received under this section within the 30-day period pro-
9 vided, the determination and penalty assessment shall con-
10 stitute a final and nonappealable order.

11 (c) WRITTEN DECISION.—If the Director makes a
12 final determination that there was a noncompliance, the
13 Director shall issue a public written decision—

14 (1) requiring that the noncompliance be in-
15 cluded in a publicly available list of noncompliances,
16 to be reported to the Congress on a semiannual
17 basis;

18 (2) directing the person to correct the non-
19 compliance; and

20 (3) assessing a civil monetary penalty in an
21 amount determined as follows:

22 (A) In the case of a minor noncompliance,
23 the amount shall be no more than \$10,000, de-
24 pending on the nature and extent of the non-
25 compliance.

1 (B) In the case of a significant noncompli-
2 ance, the amount shall be more than \$10,000,
3 but no more than \$200,000, depending on the
4 nature and extent of the noncompliance and the
5 extent to which the person may have profited
6 from the noncompliance.

7 (d) CIVIL INJUNCTIVE RELIEF.—If a person fails to
8 comply with a directive to correct a noncompliance under
9 subsection (c), the Director shall refer the case to the At-
10 torney General to seek civil injunctive relief.

11 (e) PENALTY ASSESSMENTS.—(1) No penalty shall
12 be assessed under this section unless the Director finds
13 that the person subject to the penalty knew or should have
14 known that such person was not in compliance with the
15 requirements of this Act. In determining the amount of
16 a penalty to be assessed, the Director shall take into ac-
17 count the totality of the circumstances, including the ex-
18 tent and gravity of the noncompliance and such other mat-
19 ters as justice may require. The Director shall not assess
20 a penalty in an amount greater than that recommended
21 by an administrative law judge after a hearing on the
22 record under subsection (a)(3) unless the Director deter-
23 mines that the recommendation of the administrative law
24 judge is arbitrary and capricious or an abuse of discretion.

1 (2) Regulations prescribed by the Director under sec-
2 tion 6 shall define minor and significant noncompliances.
3 Significant noncompliances shall be defined to include a
4 knowing failure to register and any other knowing non-
5 compliance that is extensive or repeated.

6 (f) LIMITATION.—No proceeding shall be initiated
7 under this section unless the Director notifies the person
8 who is the subject of the proceeding of the alleged non-
9 compliance, pursuant to section 7, within 3 years after the
10 date on which the registration or report at issue was filed
11 or required to be filed.

12 **SEC. 9. OTHER VIOLATIONS.**

13 (a) LATE REGISTRATION OR FILING; FAILURE TO
14 PROVIDE INFORMATION.—If a person registers or files
15 more than 30 days after a registration or filing is required
16 under this Act, or fails to provide information requested
17 by the Director under section 7(c), the Director shall—

18 (1) notify the person in writing of the non-
19 compliance and a proposed penalty assessment and
20 provide such person with an opportunity to respond
21 in writing within 30 days; and

22 (2) if requested by such person within such 30-
23 day period, afford the person an informal hearing at
24 which additional evidence may be presented.

1 (b) DETERMINATION.—Unless the Director deter-
2 mines that the late filing or failure to provide information
3 was justified, the Director shall make a final determina-
4 tion of noncompliance and a final determination of the
5 penalty, if any. If no written response or request for a
6 hearing was received under this section within the 30-day
7 period provided, the determination and penalty assessment
8 shall constitute a final and unappealable order.

9 (c) WRITTEN DECISION.—If the Director makes a
10 final determination that there was a noncompliance, the
11 Director shall issue a public written decision—

12 (1) in the case of a late filing, assessing a civil
13 monetary penalty of \$200 for each week by which
14 the filing was late, with the total penalty not to ex-
15 ceed \$10,000; or

16 (2) in the case of a failure to provide informa-
17 tion—

18 (A) directing the person to provide the in-
19 formation within a reasonable period of time;
20 and

21 (B) except where the noncompliance was
22 the result of a good faith dispute over the valid-
23 ity or appropriate scope of a request for infor-
24 mation—

- 1 (i) including the noncompliance in a
2 publicly available list of noncompliances, to
3 be reported to the Congress on a semi-
4 annual basis; and
- 5 (ii) assessing a civil monetary penalty
6 in an amount not to exceed \$10,000.

7 (d) CIVIL INJUNCTIVE RELIEF.—In addition to the
8 penalties provided in this section, the Director may refer
9 the noncompliance to the Attorney General to seek civil
10 injunctive relief.

11 **SEC. 10. JUDICIAL REVIEW.**

12 (a) FINAL DECISION.—A written decision issued by
13 the Director under section 8 or 9 shall become final 60
14 days after the date on which the Director provides notice
15 of the decision, unless such decision is appealed under sub-
16 section (b) of this section.

17 (b) APPEAL.—Any person adversely affected by a
18 written decision issued by the Director under section 8 or
19 9 may appeal such decision, except as provided under sec-
20 tions 8(b) or 9(b), to the appropriate United States court
21 of appeals. Such review may be obtained by filing a written
22 notice of appeal in such court no later than 60 days after
23 the date on which the Director provides notice of the Di-
24 rector's decision and by simultaneously sending a copy of
25 such notice to the Director. The Director shall file in such

1 court the record upon which the decision was issued, as
2 provided under section 2112 of title 28, United States
3 Code. The findings of fact of the Director shall be conclu-
4 sive, unless found to be unsupported by substantial evi-
5 dence, as provided under section 706(2)(E) of title 5,
6 United States Code. Any penalty assessed or other action
7 taken in the decision shall be stayed during the pendency
8 of the appeal.

9 (c) RECOVERY OF PENALTY.—Any penalty assessed
10 in a written decision which has become final under this
11 Act may be recovered in a civil action brought by the At-
12 torney General in an appropriate United States district
13 court. In any such action, no matter that was raised or
14 that could have been raised before the Director or pursu-
15 ant to judicial review under subsection (b) may be raised
16 as a defense, and the determination of liability and the
17 determination of amounts of penalties and assessments
18 shall not be subject to review.

19 (d) ATTORNEYS' FEES.—In any appeal brought
20 under this section, in which the person who is the subject
21 of such action substantially prevails on the merits, the
22 court may assess against the United States attorneys' fees
23 and other litigation costs reasonably incurred in the ad-
24 ministrative proceeding and the appeal.

1 **SEC. 11. RULES OF CONSTRUCTION.**

2 (a) PROHIBITION OF ACTIVITIES.—Nothing in this
3 Act shall be construed to prohibit, or to authorize the Di-
4 rector or any court to prohibit, lobbying activities or lobby-
5 ing contacts by any person, regardless of whether such
6 person is in compliance with the requirements of this Act.

7 (b) AUDIT AND INVESTIGATIONS.—Nothing in this
8 Act shall be construed to grant general audit or investiga-
9 tive authority to the Director, or to authorize the Director
10 to review the files of a registrant, except in accordance
11 with the requirements of section 7 regarding the informal
12 resolution of alleged noncompliances and formal requests
13 for information.

14 **SEC. 12. AMENDMENTS TO THE FOREIGN AGENTS REG-**
15 **ISTRATION ACT.**

16 The Foreign Agents Registration Act of 1938, as
17 amended (22 U.S.C. 611 et seq.) is amended—

18 (1) in section 1—

19 (A) by amending subsection (b) to read as
20 follows:

21 “(b) The term ‘foreign principal’ means a government
22 of a foreign country or a foreign political party.”;

23 (B) by striking out subsection (j);

24 (C) in subsection (o), by striking out “the
25 dissemination of political propaganda and any
26 other activity which the person engaging therein

1 believes will, or which he intends to, prevail
2 upon, indoctrinate, convert, induce, persuade,
3 or in any other way influence” and inserting in
4 lieu thereof “any activity which the person en-
5 gaging in believes will, or which he intends to,
6 in any way influence”;

7 (D) in subsection (p) by striking out the
8 semicolon and inserting in lieu thereof a period;
9 and

10 (E) by striking out subsection (q);

11 (2) in section 3(g) (22 U.S.C. 613(g)), by strik-
12 ing out “established agency proceedings, whether
13 formal or informal.” and inserting in lieu thereof
14 “judicial proceedings, criminal or civil law enforce-
15 ment inquiries, investigations or proceedings, or
16 agency proceedings required by statute or regulation
17 to be conducted on the record.”;

18 (3) in section 4(a) (22 U.S.C. 614(a))—

19 (A) by striking out “political propaganda”
20 and inserting in lieu thereof “informational ma-
21 terials”; and

22 (B) by striking out “and a statement, duly
23 signed by or on behalf of such an agent, setting
24 forth full information as to the places, times
25 and extent of such transmittal”;

1 (4) in section 4(b) (22 U.S.C. 614(b))—

2 (A) by striking out “political propaganda”
3 and inserting in lieu thereof “informational ma-
4 terials”; and

5 (B) by striking out “(i) in the form of
6 prints or” and all that follows through the end
7 of the subsection and inserting in lieu thereof
8 “without placing in such informational mate-
9 rials a conspicuous statement that the materials
10 are distributed by the agent on behalf of the
11 foreign principal, and that additional informa-
12 tion is on file with the Department of Justice,
13 Washington, District of Columbia. The Attor-
14 ney General may by rule define what con-
15 stitutes a conspicuous statement for the pur-
16 poses of this subsection.”;

17 (5) in section 4(c) (22 U.S.C. 614(c)), by strik-
18 ing out “political propaganda” and inserting in lieu
19 thereof “informational materials”;

20 (6) in section 6 (22 U.S.C. 616)—

21 (A) in subsection (a), by striking out “and
22 all statements concerning the distribution of po-
23 litical propaganda”;

1 (B) in subsection (b), by striking out “,
2 and one copy of every item of political propa-
3 ganda”; and

4 (C) in subsection (c), by striking out “cop-
5 ies of political propaganda,”;

6 (7) in section 8 (22 U.S.C. 618)—

7 (A) in subsection (a)(2), by striking out
8 “or in any statement under section 4(a) hereof
9 concerning the distribution of political propa-
10 ganda”; and

11 (B) by striking out subsection (d); and

12 (8) in section 11 (22 U.S.C. 621), by striking
13 out “, including the nature, sources, and content of
14 political propaganda disseminated or distributed.”.

15 **SEC. 13. AMENDMENTS TO THE BYRD AMENDMENT.**

16 (a) REVISED CERTIFICATION REQUIREMENTS.—Sec-
17 tion 1352(b) of title 31, United States Code, is amended—

18 (1) in paragraph (2), by striking out subpara-
19 graphs (A), (B), and (C) and inserting in lieu there-
20 of the following:

21 “(A) the name of any registrant under the
22 Lobbying Disclosure Act of 1993 who has made
23 lobbying contacts on behalf of the person with
24 respect to that Federal contract, grant, loan, or
25 cooperative agreement; and

1 “(B) a certification that the person making
2 the declaration has not made, and will not
3 make, any payment prohibited by subsection
4 (a).”;

5 (2) in paragraph (3), by striking out all that
6 follows “loan shall contain” and inserting in lieu
7 thereof “the name of any registrant under the Lob-
8 bying Disclosure Act of 1993 who has made lobbying
9 contacts on behalf of the person in connection with
10 that loan insurance or guarantee.”; and

11 (3) by striking out paragraph (6) and redesign-
12 ating paragraph (7) as paragraph (6).

13 (b) DELETION OF OBSOLETE REPORTING REQUIRE-
14 MENT.—Section 1352 of title 31, United States Code, is
15 further amended by—

16 (1) striking out subsection (d); and

17 (2) redesignating subsections (e), (f), (g), and
18 (h) as subsections (d), (e), (f), and (g), respectively.

19 **SEC. 14. REPEAL OF CERTAIN LOBBYING PROVISIONS.**

20 (a) REPEAL OF THE FEDERAL REGULATION OF LOB-
21 BYING ACT.—The Federal Regulation of Lobbying Act (2
22 U.S.C. 261 et seq.) is repealed.

23 (b) REPEAL OF PROVISIONS RELATING TO HOUSING
24 LOBBYIST ACTIVITIES.—(1) Section 13 of the Depart-

1 ment of Housing and Urban Development Act (42 U.S.C.
2 3537b) is repealed.

3 (2) Section 536(d) of the Housing Act of 1949 (42
4 U.S.C. 1490p(d)) is repealed.

5 (c) REPEAL OF REGISTRATION REQUIREMENT RE-
6 LATING TO PUBLIC UTILITY LOBBYING ACTIVITIES.—
7 Section 12(i) of the Public Utility Holding Company Act
8 of 1935 (15 U.S.C. 79l(i)) is repealed.

9 **SEC. 15. CONFORMING AMENDMENTS TO OTHER STATUTES.**

10 (a) AMENDMENT TO COMPETITIVENESS POLICY
11 COUNCIL ACT.—Section 5206(e) of the Competitiveness
12 Policy Council Act (15 U.S.C. 4804(e)) is amended by in-
13 serting “or a lobbyist for a foreign entity (as the terms
14 ‘lobbyist’ and ‘foreign entity’ are defined under section 3
15 of the Lobbying Disclosure Act of 1993)” after “an agent
16 for a foreign principal”.

17 (b) AMENDMENT TO TITLE 18, UNITED STATES
18 CODE.—Section 219(a) of title 18, United States Code,
19 is amended by inserting “or a lobbyist required to register
20 under the Lobbying Disclosure Act of 1993 in connection
21 with the representation of a foreign entity as defined
22 under section 3(7) of such Act,” after “an agent of a for-
23 eign principal required to register under the Foreign
24 Agents Registration Act of 1938, as amended,”.

1 (c) AMENDMENT TO FOREIGN SERVICE ACT OF
 2 1980.—Section 602(c) of the Foreign Service Act of 1980
 3 (22 U.S.C. 4002(c)) is amended by inserting “or a lobby-
 4 ist for a foreign entity (as defined in section 3(7) of the
 5 Lobbying Disclosure Act of 1993)” after “an agent of a
 6 foreign principal (as defined by section 1(b) of the Foreign
 7 Agents Registration Act of 1938)”.

8 (d) AMENDMENT TO THE FEDERAL ELECTION CAM-
 9 PAIGN ACT.—Section 319(b) of the Federal Election Cam-
 10 paign Act (2 U.S.C. 441e(b)) is amended—

11 (1) in paragraph (1) by striking out “or” after
 12 the semicolon;

13 (2) by redesignating paragraph (2) as para-
 14 graph (3); and

15 (3) by inserting after paragraph (1) the follow-
 16 ing:

17 “(2) a foreign entity, as such term is defined by
 18 section 3(7) of the Lobbying Disclosure Act of 1993;
 19 or”.

20 **SEC. 16. SEVERABILITY.**

21 If any provision of this Act, or the application there-
 22 of, is held invalid, the validity of the remainder of this
 23 Act and the application of such provision to other persons
 24 and circumstances shall not be affected thereby.

1 **SEC. 17. AUTHORIZATION OF APPROPRIATIONS.**

2 There are authorized to be appropriated such sums
3 as may be necessary to carry out this Act.

4 **SEC. 18. IDENTIFICATION OF CLIENT.**

5 Any person who makes a lobbying contact with a cov-
6 ered legislative branch official or a covered executive
7 branch official shall, on the request of the official at the
8 time of the lobbying contact, state whether such person
9 is registered under this Act and identify the client on
10 whose behalf the lobbying contact is made.

11 **SEC. 19. TRANSITIONAL FILING REQUIREMENT.**

12 (a) **SIMULTANEOUS FILING.**—Subject to the provi-
13 sions of subsection (b), each registrant shall transmit si-
14 multaneously to the Secretary of the Senate and the Clerk
15 of the House of Representatives an identical copy of each
16 registration and report required to be filed under this Act.

17 (b) **SUNSET PROVISION.**—The simultaneous filing re-
18 quirement under subsection (a) shall be effective until
19 such time as the Director, in consultation with the Sec-
20 retary of the Senate and the Clerk of the House of Rep-
21 resentatives, determines that the Office of Lobbying Reg-
22 istration is able to provide computer telecommunication or
23 other transmittal of registrations and reports as required
24 under section 6(b)(11).

25 (c) **IMPLEMENTATION.**—The Director, the Secretary
26 of the Senate and the Clerk of the House of Representa-

1 tives shall take such actions as necessary to ensure that
 2 the Office of Lobbying Registration is able to provide com-
 3 puter telecommunication or other transmittal of registra-
 4 tions and reports as required under section 6(b)(11) on
 5 the effective date of this Act, or as soon thereafter as rea-
 6 sonably practicable.

7 **SEC. 20. GOVERNMENT-SPONSORED ENTERPRISES—RE-**
 8 **PORT TO CONGRESS.**

9 (a) IN GENERAL.—A government-sponsored enter-
 10 prise (hereafter in this section referred to as a “GSE”)
 11 shall submit an annual report to the Congress containing
 12 the following information:

13 (1) A list including the name and address of
 14 each contractor, consultant, agent, or employee hired
 15 by the GSE to engage in—

16 (A) grass roots organizing or campaigning;

17 (B) public relations, media consulting, or
 18 image advertising; or

19 (C) lobbying, including the direct and indi-
 20 rect lobbying of the Congress.

21 (2) An itemization of all costs associated with
 22 activities described in paragraph (1) whether in-
 23 curred by the GSE or by any of its contractors, con-
 24 sultants, agents, or employees listed pursuant to
 25 such paragraph, including entertainment expenses,

1 travel expenses, advertising costs, salaries, billing
2 rates and the total amount billed for services.

3 (3) A description of any lobbying of the Con-
4 gress or the executive branch by employees, board
5 members, or officers of the GSE.

6 (4) A description of any effort by the GSE or
7 its agents to encourage others to lobby the Congress
8 or the executive branch.

9 (5) A list of all charitable donations paid by the
10 GSE on behalf of Members of Congress or members
11 of the executive branch.

12 (6) A list of the salaries and other compensa-
13 tion (including the present value of stock options)
14 and benefits paid to the officers and board members
15 of the GSE.

16 (7) A list of all GSE employees who have been
17 employed by either the Congress or the Federal Gov-
18 ernment in the 5 years preceding the report, and
19 such employees' salary prior to being hired by the
20 GSE and their current salary.

21 (b) DEFINITION OF GOVERNMENT-SPONSORED EN-
22 TERPRISE.—For the purposes of this section, the term
23 “government-sponsored enterprise” means—

1 (1) the Federal National Mortgage Association,
 2 the Federal Home Loan Mortgage Corporation, the
 3 Student Loan Marketing Association, and

4 (2) a guaranty agency, as defined in section
 5 435(j) of the Higher Education Act of 1965 (20
 6 U.S.C. 1085(j)).

7 **SEC. 21. LIMITS ON ACCEPTANCE OF GIFTS, MEALS AND**
 8 **TRAVEL.**

9 It is the sense of the Senate that, as soon as possible
 10 during this year's session, the Senate should limit the ac-
 11 ceptance of gifts, meals and travel by Members and staff
 12 in a manner substantially similar to the restrictions appli-
 13 cable to executive branch officials.

14 **SEC. 22. DISCLOSURE OF FOREIGN CONTRIBUTIONS.**

15 It is the sense of the Senate that the conferees on
 16 this Act should seek to draft and add to this Act a con-
 17 stitutionally acceptable provision requiring additional dis-
 18 closure of the contributions of foreign entities to the lobby-
 19 ing activities of registrants, as defined in this Act.

20 **SEC. 23. EFFECTIVE DATES.**

21 (a) IN GENERAL.—Except as otherwise provided in
 22 this section, the provisions of this Act shall take effect
 23 1 year after the date of the enactment of this Act.

1 (b) ESTABLISHMENT OF OFFICE.—The provisions of
2 sections 6 and 17 shall take effect on the date of the en-
3 actment of this Act.

4 (c) REPEALS AND AMENDMENTS.—The repeals and
5 amendments made under sections 12, 13, and 14 of this
6 Act shall take effect as provided under subsection (a), ex-
7 cept that such repeals and amendments—

8 (1) shall not affect any proceeding or suit com-
9 menced before the effective date under subsection
10 (a), and in all such proceedings or suits, proceedings
11 shall be had, appeals taken, and judgments rendered
12 in the same manner and with the same effect as if
13 this Act had not been enacted; and

14 (2) shall not affect the requirements of Federal
15 agencies to compile, publish, and retain information
16 filed or received before the effective date of such re-
17 peals and amendments.

18 (d) REGULATIONS.—Proposed regulations required
19 to implement this Act shall be published for public com-
20 ment no later than 270 days after the date of the enact-
21 ment of this Act. No later than 1 year after the date of
22 the enactment of this Act, final regulations shall be pub-
23 lished.

24 (e) PHASE-IN PERIOD.—No penalty shall be assessed
25 by the Director for any noncompliance with this Act which

- 1 occurs during the first semiannual reporting period after
- 2 the effective date of this Act.

Passed the Senate May 6 (legislative day, April 19),
1993.

Attest:

Secretary.

S 349 ES——2

S 349 ES——3

S 349 ES——4

S 349 ES——5

S 349 ES——6

S 349 ES——7

S 349 ES——8

S 349 ES——9

S 349 ES——10